THE HON'BLE SRI JUSTICE C.V. RAMULU

Friday, 14th day of July, 2006

W.P.No.9333 of 2000

Between:

Vodde Srinivasa Reddy & others … Petitioners

and

The Principal Secretary to Government,
Irrigation and CAD Department,
Government of Andhra Pradesh, Secretariat,
Buildings, Hyderabad and others … Respondents

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ORAL ORDER:

The lands of the petitioners were acquired and compensation was paid to them. According to the petitioners, they have been cultivating the lands even thereafter and now the lands are allotted for various Departments for raising trees etc. It is the case of the petitioners that since they are cultivating the lands, they may be permitted to continue the cultivation in those lands.

In the counter affidavit filed on behalf of the 5th respondent, it is stated that the request of the petitioner for reconveyance of the lands, which were acquired, cannot be accepted in view of the report stating that the cultivation of the lands has an adverse affect upon the reservoir owing to siltation and create a situation, which would be in violation of the norms laid down by the Dam Safety Panel. Further, to minimize the siltation of reservoir, the Environmental Management Plan has been drawn up as aforesaid and in view of the same, there can be no reconveyance of the acquired lands.

The question of reconveyance of the lands or permitting the petitioners to cultivate the same does not arise after the lands have been acquired and compensation has been paid to them, in view of the Judgment of the Supreme Court in **C. PADMA v. SECRETARY TO GOVERNMENT OF TAMILNADU**[1]**.** Therefore, the Writ Petition is devoid of merits and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

14-7-2006

prk

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[1] 1997(2) SCC 627